



CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minute summary of the regular meeting of the City Council of Sierra Vista held on the 14th day of April 2016. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 28th day of April 2016

SEAL

Maria G. Marsh
Deputy City Clerk

Jill Adams
City Clerk

Sierra Vista City Council
Meeting Minutes
April 14, 2016

Mayor Mueller called the April 14, 2016 City Council Meeting to order at 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, AZ

Roll Call:

Mayor Rick Mueller – present
Mayor Pro Tem Bob Blanchard – present
Council Member Alesia Ash – present
Council Member Gwen Calhoun – present
Council Member Rachel Gray – absent
Council Member Hank Huisking – present
Council Member Craig Mount – present

Others Present:

Chuck Potucek, City Manager
Mary Jacobs, Assistant City Manager
Adam Thrasher, Police Chief
Ron York, Fire Chief
Matt McLachlan, Community Development Director
Victoria Yarbrough, Library and Leisure Services Director
Sharon Flissar, Public Works Director
Jill Adams, City Clerk
Jenifer Thornton, Management Analyst
Linda Jones, Management Analyst
Nathan Williams, City Attorney

Invocation – Pastor Timothy Jones, Christian House Fellowship, conducted the invocation.

Pledge of Allegiance – Brownie Troop 419, Jr. Troop 104, and Cadette/Sr. Troop 1224 led the Pledge of Allegiance.

Item 1 Acceptance of the Agenda

Council Member Calhoun moved that the agenda for the Regular City Council Meeting of April 14, 2016, be approved. Council Member Mount seconded the motion. The motion was approved by a unanimous vote, 6/0.

Awards and Presentations:

Police Chief Thrasher recognized Police Department Dispatchers and Volunteers and presented a Certificate of Appreciation to Molly Schmitt. He also recognized the Animal Control Officers and presented a Certificate of Appreciation to Arlene Garcia and Jeffrey Ingerson.

A Proclamation declaring April 19, 2016, as Day of Education was presented to Rabbi Berizion Shemtov.

A Proclamation declaring the month of April as Fair Housing Month was presented to Jay Young, Executive Director, Southwest Fair Housing Council and Jenifer Thornton, Management Analyst, City of Sierra Vista.

City Manager's Report: Mr. Potucek made the following announcements:

- City Council Work Session on April 26th at 3:00 p.m., City Hall Council Chambers regarding City Manager Update;

- Three responses were received for the MPO-06 Origin and Destination Study, which are under review;
- One response was received for the RFP for Portion of Kings Court Property and it is under review/negotiation;
- The RFP solicitation for TR-055, Fleet Hardware/Software, Automated Fuel Management System is currently on the street and responses are due on April 20th; and
- The IFB solicitation for PW 049, Coronado Widening, and Golf Links to Busby is currently on the street and responses are due on April 19th.

Item 2 Consent Agenda

Item 2.1 Approval of the City Council Regular Meeting Minutes of March 24, 2016;

Item 2.2 Resolution 2016-018, Application for Special Event Liquor License for the Columbian Association for the West End Fair on May 7, 2016

Item 2.3 Resolution 2016-019, Application for Extension of Premises/Patio Permits for Kristine Elizabeth Wolfe on behalf of Hoppin Grapes for the West End Fair on May 7, 2016

Item 2.4 Resolution 2016-020, Special Event Liquor License for Derek L. McKinley on behalf of the Directorate of Family, Moral, Welfare, and Recreation (DFMWR) for the Festival of the Southwest on May 6 and 7, 2016 at Veterans' Memorial Park

Council Member Ash moved that the Consent Agenda consisting of the City Council Regular Meeting Minutes of March 24, 2016; Resolution 2016-018, an application for Special Event Liquor License for the Columbian Association for the West End Fair on May 7, 2016; Resolution 2016-019, an application for Extension of Premises/Patio Permit for Kristine Elizabeth Wolfe on behalf of Hoppin Grapes for the West End Fair on May 7, 2016; and Resolution 2016-020, Special Event Liquor License for Derek L. McKinley on behalf of the Directorate of Family, Moral, Welfare, and Recreation (DFMWR) for the Festival of the Southwest on May 6 and 7, 2016 at Veterans' Memorial Park, be approved. Council Member Calhoun seconded the motion. The motion was approved by a unanimous vote, 6/0.

Public Hearing – There was no response.

Item 3 Ordinance 2016-003, Proposed Modifications to Mobile Food Vending Requirements

Council Member Mount moved that Ordinance 2016-003, Amending Section 151.06.009, Mobile Food Vending, Minimum Requirements and Restrictions, be approved. Mayor Pro Tem Blanchard seconded the motion.

Mr. McLachlan stated that the ordinance was draft in response to concerns raised from the adoption of Ordinance 2016-002. The proposed amendments were developed with input from the mobile food vending community to resolve their concerns. The minimum requirements have been amended to reference the adopted electrical code as being the minimum standard, removes mobile food vending site limitations, deletes limited hours of operation and redundant food safety regulations that are covered under County adopted codes.

No changes are made or are being proposed on how transient merchants, itinerant merchants and itinerant vendors are regulated under Chapter 113 of the City Code and further defined under Chapter 151 of the Development Code.

Staff recommends the adoption of Ordinance 2016-003 amending Section 151.06.009 of the Development Code upon considering any public testimony provided during the public hearing.

Council Member Ash asked if the Department had received any additional concerns since Wednesday, April 12, 2016. Mr. McLachlan stated that they have not.

The motion was approved by a unanimous vote, 6/0.

New Business

Item 4 Resolution 2016-021, restating the City's Commitment to Fair Housing in Sierra Vista

Council Member Gray moved that Resolution 2016-021, restating the City's commitment to fair housing in Sierra Vista, be approved. Mayor Pro Tem Blanchard seconded the motion.

Ms. Thornton stated that the item is the annual reaffirmation that the City supports all fair housing activities and that wanted is a city that is broad and thinks fair housing. There is still discrimination going on; but Sierra Vista has very little. HUD is rarely called from Sierra Vista and she believes that in 15 years, she has had one complaint. Sierra Vista does a good job and she is very proud of it.

Mayor Mueller stated that Council is very proud of the work she does too and publicly thanked her.

Council Member Mount asked about the consequences if Council chose to vote down the resolution. Ms. Thornton explained that the City would lose grants.

Council Member Mount asked where the money comes from that is tied to the grants. Ms. Thornton stated that HUD.

Council Member Mount asked who funds the grant. Ms. Thornton stated that the tax payers.

Council Member Mount noted that by its very nature, even though it's a noble cause, this is a course of action, if Council chooses not to do this. Ms. Thornton stated that he is correct.

Council Member Mount stated that he made the following statement last year and as much as he appreciates what they do as a City, with very few complaints, he feels obligated to at least say that he resists the urge of any course of action by the government, even if it is seemingly noble, because the money is rightfully the City's via the grant system. For the government to be coercive in nature and to make the City affirm something when there is no reason for it goes against his nature. He also added that he will be voting against the item again.

Council Member Calhoun stated that she appreciates Council Member Mount's comments; but she would like for him to understand and he probably does, that as caring, kind and generous as the community is, not all communities are that way and the need to affirm that the City is in favor of fair housing is very important because there are many communities that are not. This makes it, in her opinion, necessary.

Council Member Mount explained that any time there is a penalty to an action to force an action is coercive in nature. That is coercive power, the very definition of it. He noted that he has lectured on it for the last five years and it is partly the Council's duty to prevent government from taking coercive action that would impact the same tax payers that fund the government in order to get back what the tax payers have earned.

Council Member Mount asked why the City has to affirm something that the City has already proven, as the community has shown to have had no issues over the last 15 years. He also added that he does not want to make it into a debate, as he was only sharing his opinion. He believes that fair housing is great and wonderful and he is glad that the City has it; but it is affirmed every day in society.

Council Member Ash asked if the CDBG funds that were unanimously approved, to give funding for street lights, Habitat for Humanity and the Good Neighbor Alliance, would be lost. Ms. Thornton stated that they would be lost. Mayor Mueller stated that it is always a possibility. Ms. Thornton explained that it is a HUD Grant and fair housing is a HUD Program and they work

with lending to make sure that people have loans given to them for qualification and not because of race, color, and family status. They work with all those things and it goes out to many branches, i.e., the bank, housing, apartments. It is a wide range that it reaches and it is one of the items required for the City to get CDBG funds.

The motion was approved, 5/1. Council Member Mount casting the dissenting vote.

Item 5 Resolution 2016-022, Appointment of Normajeon Maryland to the Tourism Commission, said term to expire June 30, 2017

Council Member Huisling moved that Resolution 2016-022, Appointment of Normajeon Maryland to the Tourism Commission, said term to expire June 30, 2017, be approved. Mayor Pro Tem Blanchard seconded the motion. The motion was approved by a unanimous vote, 6/0.

Call to the Public

John Sullivan stated that he heard a lot of good things about the City and looks forward to staying in Sierra Vista and becoming involved; recommended concentrating on tourism; and thanked Council, especially Council Member Mount for keeping the budget accountable to the people.

Dorothy Bonvillian talked about the book, "Intentional Living," by John Maxwell and encouraged Council to attend her class on May 3rd at the Chamber of Commerce to learn the principles of intentional living.

Comments and Requests of the Council

Council Member Huisling congratulated all of the Police Department personnel who won awards and talked about the award ceremony; thanked the Girl Scouts for leading the Pledge, who have been attending Council Meetings for 18 years; reported on the Teacher of the Year Awards on Fort Huachuca where it was Trudy Berry's last hurrah as she will retiring at the end of the year; and announced the Thunder Mountain Games taking place on April 16 and 17 with runs and wellness fairs.

Council Member Mount stated that he is thankful for the food truck thing got resolved as quickly as it did and appreciates Mr. McLachlan's work on that and it was a good experience for all to figure out how quickly the community will bring forth information when Council makes a mistake.

Council Member Mount stated that Council Member Ash is right, he did vote for the CDBG funds because he does think that they are important for the community; but when taking a look at the true meaning of power, the ability to influence decisions, he thinks that as leaders they are held to what type of power they want to embrace. Power is held, if looking at some of the leadership theorists and scholars, i.e., Gary Yukl that talk about coercive power and reward power. Those two are the worst ways to lead. There are expert power, legitimate power i.e., what Council exercises or referent power. In closing, he stated that he is committed to fair housing; but he does not just want to say the words because he is afraid to lose grants and he hopes that the City continues to get the grants, if needed. However, he also hopes that messages are sent to higher levels of government that they should not have to be coerced into saying the words and that they should act from a position of referent power, which is to simply do the right thing and move forward.

Council Member Ash thanked the citizens who brought their concerns to Council and staff regarding the food truck issue; thanked Community Development staff who acted swiftly to resolve and she is glad that this was an opportunity to bring the food trucks and mobile vendors together; and encouraged everyone to attend the events going on during the weekend, i.e.,

Thunder Mountain Games and the Congressional Art Competition at which there are some fantastic pieces from Buena High School and Veritas displayed in Tucson, Arizona.

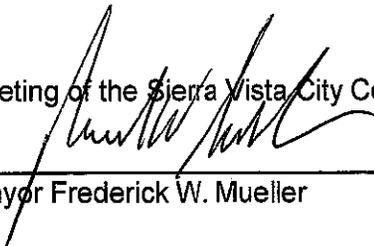
Council Member Calhoun reminded everyone of Child Abuse Prevention Month and displayed a pinwheel and noted that some communities add these to their gardens; thanked Community Development staff and those in public service that won awards; thanked the two public speakers; and reminded everyone that April 16th is the March for Mental Health starting at 8:00 a.m. at Cochise College.

Mayor Pro Tem Blanchard also congratulated the Police Department and added that he enjoyed the nice awards dinner.

Mayor Mueller extended his thanks to all of the Police Department officers and staff as they do a great job on a regular basis; thanked the Girl Scouts; and reminded everyone that April 18th is the time to write those checks to Uncle Sam for taxes.

Adjournment

Mayor Mueller adjourned the April 14, 2016 meeting of the Sierra Vista City Council at 5:48 p.m.



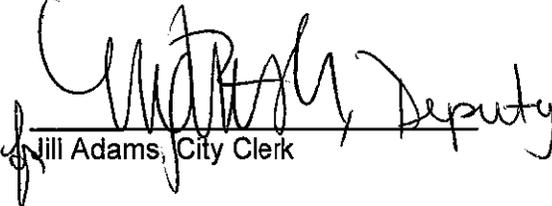
Mayor Frederick W. Mueller

Minutes prepared by:



Maria G. Marsh, Deputy Clerk

Attest:



Jill Adams, City Clerk